

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DAQUILLIUS HENNIGAN,

Plaintiff,

v.

CAPTAIN FACTRA A WARREN, SGT
REGINALD NWORKA, CAPTAIN TAD
HOWARD, COUNSEL SUB L LEVESTON,
MED ADMIN JOHN DOE,

Defendants.

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CIVIL ACTION NO. 6:19-CV-00190-RWS-KNM

ORDER

Plaintiff DaQuillius Hennigan, an inmate confined at the Jim Ferguson Unit within the Texas Department of Criminal Justice (TDCJ), proceeding *pro se* and *in forma pauperis*, filed this civil rights action alleging purported violations of his constitutional rights. The Court referred the case to the United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

The Magistrate Judge issued a Report and Recommendation, recommending the lawsuit be dismissed without prejudice for failure to comply with a court order. Docket No. 15. Plaintiff received a copy of this report on March 11, 2020 (Docket No. 16), but filed no objections thereto. Accordingly, he is not entitled to *de novo* review by the District Judge of those findings, conclusions and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the

district court. *Douglass v. United Servs. Auto. Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

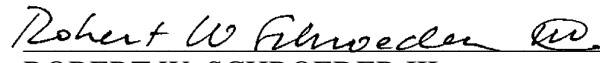
Nonetheless, the Court has reviewed the pleadings in the cause and the Magistrate Judge's report and agrees with the Magistrate Judge's report. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give to the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the sound discretion of the judge warrants’”) (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)). It is therefore

ORDERED that the Magistrate Judge’s Report (Docket No. 15) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled civil action is **DISMISSED WITHOUT PREJUDICE** for Plaintiff’s failure to comply with an order of the Court. It is finally

ORDERED that any and all motions which may be pending in this civil action are hereby **DENIED-AS-MOOT**.

So ORDERED and SIGNED this 6th day of April, 2020.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE